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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,294	08/04/2000	Tal Isaac Lavian	NOR-089	1868
32836	7590	09/20/2005	EXAMINER	
GUERIN & RODRIGUEZ, LLP 5 MOUNT ROYAL AVENUE MOUNT ROYAL OFFICE PARK MARLBOROUGH, MA 01752			DALENCOURT, YVES	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/632,294

Applicant(s)

LAVIAN ET AL.

Examiner

Yves Dalencourt

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-30 is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to amendment filed on 07/11/2005.

Response to Amendment

The examiner has acknowledged the request for consideration.

Response to Arguments

Applicant's arguments filed on 07/11/05 have been fully considered but they are not persuasive.

Applicants argue that the Huang patent (US 6,292,829) should be disqualified as prior art under 35 U.S.C. 103(a) rejection, since the subject matter and the claimed invention were , at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. However, the Examiner wants to point out to the Applicant that the “ **Revised 35 U.S.C. 102(e) only applies to Applications filed on or after November 2000** “. In this instance, this Application was filed on August 4, 2000. Such rule does not apply to the application. Therefore, the US Patent 6,292,829) is indeed qualified as prior art under 35 U.S.C. 103(a) rejection.

In view of such, the rejection is sustained and maintained as follows:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang et al (U.S. 6,292,829; hereinafter Huang) in view of Parvathaneny et al (US 5,850,544; hereinafter Parvathaneny).

Huang discloses a heterogeneous network, which maintains two separate MIBs, wherein one is a relational, suited for use with SNMP management operations, while the other is object oriented and suited for use with CMIP management operations. In particular, Huang discloses the claimed features.

Regarding claims 1, 8, 14, and 21 – 24, Huang teaches a method and an apparatus of interfacing with network management information on a network device, which comprises the steps of receiving a non-object oriented management information database (MIB) at a compiler of a network device, the non-object oriented MIB including information related to one or more aspects of the network device (figs. 5A-5B; col. 7, lines 54 – 59; col. 8, lines 18 – 29; Huang discloses receiving an SNMP PDU by network interface software 21); extracting a subset of information from the non-object oriented MIB describing at least one aspect of the network device (col. 7, lines 59 – 67; col. 8, lines 30 – 47; Huang discloses extracting the SNMP OidPrefix from the SNMP PDU); and generating a set of object-oriented classes and object-oriented methods corresponding to the subset of information in the non-object oriented MIB (col. 8, lines 11 – 17 and 48 - 64; col. 9, lines 34 – 55; Huang discloses an SNMP handler 40 that translates the SNMP operation contained in the SNMP PDU to an equivalent CMIP operation using the following translation in step S512). Huang adds the limitation of a second storage (col. 3, lines 34 – 38; col. 8, lines 1 – 17; Huang discloses a second storage to store the CMIP PDUs received).

Huang substantially teaches the claimed invention, except for the idea of producing an object-oriented interface, for use by an object-oriented application to access the subset of information in the non-object oriented MIB. Huang discloses in the background that some devices map information in CMIP suitable, object oriented MIB to a relational (non-object) MIB (see col. 2, lines 14 – 17).

However, Parvathaneny teaches, in an analogous art, a system and method for efficient relational query generation and tuple-to-object translation in an object-relational gateway supporting class inheritance, which comprises the step of producing an object-oriented interface (106, fig. 1), for use by an object-oriented application to access the subset of information in the non-object oriented MIB (fig. 1; col. 3, lines 51 – 57; col. 4, lines 1 – 11; col. 6, lines 21 - 32).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Huang by incorporating the step of producing an object-oriented interface, for use by an object-oriented application to access the subset of information in the non-object oriented MIB as evidenced by Parvathaneny for the purpose of allowing applications operating in object-oriented computing environments to access , in an object oriented manner, data in relational database management systems, thereby providing an efficient and reliable database management system.

Regarding claims 2, 4, 9, 10, 15 and 17, Huang and Parvathaneny teach all the limitations in claim 1, and Huang further teaches that information in the non-object oriented MIB corresponds to a set of network parameters organized in a hierarchy and used to describe aspects of the network device and that the relationship among the object-oriented classes is a hierarchy that corresponds to the non-object oriented MIB (col. 6, lines 33 - 51).

Regarding claims 3 and 16, Huang and Parvathaneny teach all the limitations in claim 1, and Huang further teaches extracting information from the non-object oriented

MIB further includes lexically recognizing a set of tokens corresponding to a set of network parameters that describes aspects of the network device and parsing the tokens according to a hierarchical relationship between the set of parameters (paragraph bridging col. 2, line 64 through col. 3, line 11); generating a set of object-oriented classes and object-oriented methods includes generating a set of object-oriented classes and object-oriented methods corresponding to the lexically recognized and parsed tokens (col. 8, lines 11 - 64; col. 9, lines 34 - 55; Huang discloses an SNMP handler 40 that translates the SNMP operation contained in the SNMP PDU to an equivalent CMIP operation using the following translation in step S512).

Regarding claims 5, 11, and 18, Huang and Parvathaneny teach all the limitations in claim 1, and Huang further teaches that the object-oriented methods generated include methods capable of accessing and manipulating objects instantiated from at least one of the object-oriented classes (col. 6 lines 10 - 14).

Regarding claims 6, 12, and 19, Huang and Parvathaneny teach all the limitations in claim 1, and Huang further teaches that the object-oriented methods include one or more of the operations used to operate on the MIB (col. 5, lines 42 - 45).

Regarding claims 7, 13, and 20, Huang and Parvathaneny teach all the limitations in claim 1, and Huang further teaches that the operations used to operate on the MIB are selected from a group of operations including get, set, and test of SNMP (simple network management protocol) variables (col. 6, lines 30 - 32).

Allowable Subject Matter

Claims 26 – 30 are allowed.

The reasons for the indication of allowable subject matter will be provided when the application is in condition for allowance.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt


September 9, 2005


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